

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

UNITED STATES OF AMERICA	)	
	)	
v.	)	CRIM. CASE NO. 1:21-cr-104-ECM
	)	(WO)
JUSTIN ANTHONY WELLS	)	

**ORDER**

On February 10, 2021, the Defendant, Justin Anthony Wells (“Wells”) was arrested and charged with being a felon in possession of a firearm in violation of 18 U.S.C. § 922(g)(1). (Doc. 1). On July 19, 2021, defense counsel filed a motion for a competency hearing, (doc. 33), and on July 30, 2021, the United States filed a response in which it seeks its own mental health evaluation of the Defendant. (Doc. 40). The Court held a hearing on the Defendant’s motion on August 3, 2021. With this order, and as stated in open court, the Court concludes that there is reasonable cause to believe that the Defendant may be presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense. Therefore, in accordance with 18 U.S.C. §§ 4241(a) and 4247, and for good cause, it is

ORDERED that the United States Marshal for this district shall immediately remove the defendant to the custody of such federal institution as may be designated by the Attorney General, where the defendant is to be committed for the purpose of being observed and examined for a period of 30 days by one or more qualified psychiatrists or psychologists at the institution, pursuant to the provisions of 18 U.S.C. §§ 4241 and

4247(b)(c). It is further

ORDERED by this court that the examining psychiatrist(s) or psychologist(s) conducting the mental examination of the Defendant shall report in writing to this court within 30 days from the date of the Defendant's arrival at the institution as to their findings, opinions and conclusions relative to the competency or incompetency of the Defendant, and specifically report to and advise this court whether or not in their opinion the Defendant may be presently unable to understand the proceedings against him or properly assist in his own defense. It is further

ORDERED that the Defendant shall be incarcerated and remain at the institution designated by the Attorney General until the examination has concluded. The examining authority is DIRECTED to notify the United States Marshal for the Middle District of Alabama at the conclusion of the examination, and the Marshal shall promptly return the Defendant to the Middle District of Alabama for further proceedings. It is further

ORDERED that the Warden of the federal institution designated by the Attorney General for the Defendant's commitment for the purpose of observation and examination shall notify the Court within **fourteen (14)** days of the Defendant's arrival at the facility.

Done this 4th day of August, 2021.

/s/ Emily C. Marks  
EMILY C. MARKS  
CHIEF UNITED STATES DISTRICT JUDGE